

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)
CL2064WOPCT

First Named Inventor: ZHEN-YU YANG

International (PCT) Application No.: PCT/US04/16431

U.S. Application No.:
(if known)

Filed: May 21, 2004

Title: FUEL CELL MEMBRANE

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
Transmittal Letter to US DO/EO/US under 35 USC 371 (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

2-1-06

Date

THOMAS W. GORMAN

Typed or Printed Name

31,959

Registration Number, if applicable

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Address

Enclosures: ☒ Response☒ Fee Payment☐ Terminal Disclaimer☒ Other (please identify):

Power of Attorney & Published International Application PCT/US04/16431

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

ZHEN-YU YANG

CASE NO.: CL2064 US PCT

SERIAL NO. of INT'L PCT/US04/16431
APP.:

GROUP ART UNIT:

INT'L FILING DATE: 21 MAY 2004

EXAMINER: NOT YET ASSIGNED

FOR: FUEL CELL MEMBRANE

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37CFR
1.137 (B) AND ENTRY OF NATIONAL STAGE UNDER 35 USC 371**

Mail Stop Applications
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Accompanying this transmittal are the following:

1. A Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b)
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under USPTO under 35 USC 371.
3. Power of Attorney
4. An Application Data Sheet
5. Copy of Published PCT Application WO2004/106349
6. A Return Postcard.
7. Express Mail Certificate.

Applicants hereby authorizes the Commissioner to charge all fees necessary to file the national stage application under 35 USC 371.

Remarks begin on page 2.

REMARKS

Applicant herewith submits the necessary petition and fee to revive upon the unintentional failure to timely file the national stage application. Applicants inadvertently failed to file the application. Applicant therefore submits herewith the accompanying petition.

In view of the foregoing, revival and allowance of the above-referenced application are respectfully requested.

Respectfully submitted,



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Dated: February 1, 2006